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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION
13

14 SASA MASLIC, et al.,
15
16 Plaintiffs,
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18 vs.
19 ISM VUZEM D.O.O., et al.,
20 Defendants.
21

Case No. 5:21-cv-02556-BLF-SVK

**DEFENDANT TESLA, INC.'S
OPPOSITION TO PLAINTIFF'S
ADMINISTRATIVE MOTION TO FILE
TRANSLATIONS (DKT. NO. 143)**

Judge: Hon. Beth Labson Freeman

MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiff Sasa Maslic’s Administrative Motion to File Translated Copies of Exhibits (Dkt. No. 143) should be denied because the translations are unreliable.

Courts require certified translations when evaluating foreign language documents. *Heredia v. Americare, Inc.*, 17 Civ. 06219 (RWL), 2020 WL 3961618, at *5 (S.D.N.Y. July 13, 2020) (“It is a ‘well-established rule that a document in a foreign language is generally inadmissible unless accompanied by a certified English translation.’”) Federal Rule of Evidence 604 states that “[a]n interpreter must be qualified and must give an oath or affirmation to make a true translation.” Accordingly, courts have found that Google Translate is an unreliable method for presenting evidence and have repeatedly rendered machine translations inadmissible. *Novelty Textile, Inc. v. Windsor Fashions, Inc.*, No. CV 12-05602 DDP (MANx), 2013 WL 1164065 at *3 (C.D. Cal. Mar. 20, 2013) (“a translation by Google Translate is not sufficiently reliable to make it admissible”); *D.O.N.C. v. BPH Michigan Grp., LLC*, No. 20-11265, 2021 WL 5103918, at *1 (E.D. Mich. Sept. 20, 2021) (rejecting translation of French contract done in Google Translate); *Ambe v. Air France, S.A.*, No. 2:17-CV-08719 DDP-E, 2021 WL 3511036, at *5 (C.D. Cal. Aug. 10, 2021) (rejecting expert conclusions that relied on Google Translate); *United States v. Ramirez-Mendoza*, 4:20-CR-00107, 2021 WL 4502266 at *15 (M.D. Pa. Oct. 1, 2021).

The translations attached to Plaintiff’s motion are not certified. Plaintiff does not specifically identify the source of each translation, except to generally note that some were done by Google Translate, some by his counsel’s wife, and some by his son’s fiancée. Plaintiff’s counsel confirmed at oral argument on May 23, 2024 that none of these individuals are certified translators or interpreters. Accordingly, because the translations are not certified and unreliable under FRE 604, and for the reasons articulated by the Court at oral argument on May 23, the Court must deny Plaintiff’s Administrative Motion.

1 Dated: May 28, 2024

Respectfully submitted,

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3 By: /s/ Aaron M. Bernay

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